

FORM PTO-1390
(REV. 07-2005)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A
FILING UNDER 35 U.S.C. 371**

34029/US/2

U.S. APPLICATION NUMBER (see 37 CFR 1.5)

10/388587

EXPRESS MAIL # EV 695994915 US

EXPRESS MAIL DATE AUGUST 4, 2006

INTERNATIONAL APPLICATION NO. PCT/US2005/003502	INTERNATIONAL FILING DATE FEBRUARY 4, 2005	PRIORITY DATE CLAIMED FEBRUARY 4, 2004
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TITLE OF INVENTION

ANTI-FREEZE PROTEIN ENHANCED NUCLEIC ACID AMPLIFICATION

APPLICANT(S) FOR DO/EO/US

RYAN SMITH WESTBERRY; LARS-ERIK PETERS; JESSICA JACLYN GREENLEE

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been transmitted by the International Bureau.
 - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☒ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not transmitted by the International Bureau).
 - b. ☐ had been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20. below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 included
13. ☒ A preliminary amendment.
14. ☒ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 – 1.825
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4)
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).

U.S. APPLICATION NO. (IF KNOWN - SEE 37 CFR 1.5) 10/588587		INTERNATIONAL APPLICATION NO. PCT/US2005/003502		ATTORNEY'S DOCKET NUMBER 34029/US/2	
20. Other items or information:					
21. The following fees have been submitted:				CALCULATIONS	PTO USE ONLY
<input checked="" type="checkbox"/> a) Basic national fee \$300.00				\$ 300.00	
22. <input checked="" type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-4)..... \$100.00					
All other situations..... \$200.00				\$ 100.00	
23. <input checked="" type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100.00					
International Search Report prepared and provided to the Office..... \$400.00					
All other situations..... \$500.00				\$ 100.00	
TOTAL OF 21, 22 and 23 =				\$ 500.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
45 - 100	0 /50 =	0	x \$250.00	\$ 0.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$ 0.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	21 -20 =	1	x \$50.00	\$ 50.00	
Independent claims	3 -3 =	0	x \$200.00	\$ 0.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$ 0.00	
TOTAL OF ABOVE CALCULATIONS =				\$ 50.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$ N/A	
subtotal =				\$ 0.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$ 0.00	
TOTAL national fee =				\$ 550.00	
Fee for recording the enclose assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$ N/A	
TOTAL fees enclosed =				\$ 500.00	
				Amount to be refunded:	\$
				charged:	\$

10/588587
IAP11 Rec'd PCT/PTO 04 AUG 2006

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.5) TBD	INTERNATIONAL APPLICATION NO. PCT/US2005/003502	ATTORNEY'S DOCKET NUMBER 34029/US/2
<p>a. <input checked="" type="checkbox"/> A check in the amount \$500.00 to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. 50-2319 in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-2319 A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p>NOTE: Where an appropriate time limit under 37 CFR 1.494 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p>		
SEND ALL CORRESPONDENCE TO: CUSTOMER NUMBER 32940		
TODD A. LORENZ Dorsey & Whitney LLP Intellectual Property Department 555 California Street Suite 1000 San Francisco, CA 94104		
Signature <u>J. P. Bernhardt</u> Name JEFFERY P. BERNHARDT FOR TODD A. LORENZ		
Registration Number 54,997 FOR 39,754		

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